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SUBJECT: OPPOSITION BUILDS TO PRESIDENT'S POLL ON
CONSTITUENT ASSEMBLY

REF: TEGUCIGALPA 348 AND PREVIOUS

Classified By: Ambassador Hugo Llorens, reason 1.4 (D)

11. (C) Summary: The country's political institutions have lined up against a plan by President Zelaya to hold a poll canvassing popular support for the holding of a referendum on a constituent assembly. A court ruling is expected soon, perhaps as early as the week of May 25, and could probably go against Zelaya. This could further exacerbate political tensions. End Summary.

12. (C) President Manuel "Mel" Zelaya's plan to hold a poll June 28 to canvass popular support for the holding of a referendum on whether to convene a constituent assembly faces increasing opposition and continues to contribute to a climate of political tension in Honduras. Zelaya says he wants to convene a constituent assembly to rewrite the constitution to allow presidents to seek reelection in non-concurrent terms, but much of the country's political and business leaders believe that it may be an attempt to perpetuate his current term of office. Zelaya wants to hold the poll in order to demonstrate strong popular support for the proposal, and serve as pressure on the Honduran Congress to approve the referendum to take place during the general elections scheduled for November 29. As elections for president, Congress, and mayors are scheduled for that day, the proposed referendum has become known as the "Fourth Urn."

13. (C) Honduras' independent Attorney General's office is seeking a court ruling to annul both the June 28 poll and any possible referendum. The Attorney General argues that the government cannot use the National Statistical Institute to conduct a poll on an issue that is political in nature. The country's equivalent to a Solicitor General, Procuraduria General America de Galo, issued a statement this week supporting the office of the Attorney General, a surprise given her position as the government's lawyer and a move further isolating Zelaya. We are told that the administrative court assigned the case could rule as early as the week of May 25.

14. (C) The newly appointed Supreme Electoral Tribunal (TSE) met this week with the Sergio Sanchez, the head of the Honduran government's National Institute of Statistics (INE), which President Zelaya has publicly named as the institution

that will carry out his poll. We learned that Sanchez told the TSE that he had received no/no funds or instructions from the President and that he saw no role for his institution in the poll as the Honduran constitution required that any type of election or poll be carried out by the Supreme Elections Tribunal (TSE) and not the INE.

15. (C) Adding to the tensions, Congress President Roberto Micheletti publicly claimed this week that he and his family had received death threats due to his opposition to the poll and referendum. Micheletti blamed Zelaya for the threats and had his security detail, controlled by the executive branch, removed.

16. (C) Comment: All major national institutions, including the Congress, the Supreme Court, the Attorney General, the Solicitor General, and the TSE oppose the poll. Zelaya, however, controls the security forces as well as a number of popular groups that, while small, are willing to take to the street on his behest. This split has the nation greatly divided and on edge. While in the past Zelaya has backed down when faced with overwhelming opposition, he appears to be firmly committed to this poll. Were the court to rule against him, which appears very likely, Zelaya might press ahead anyway, possibly precipitating a major political crisis.
LLORENS